

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

**MCI COMMUNICATIONS
SERVICES, INC.,**

Complainant,

v.

WIDE VOICE, LLC,

Defendant.

Proceeding Number 19-121

**Bureau ID Number
EB-19-MD-003**

**MCI COMMUNICATIONS SERVICES, INC.
EXHIBITS TO REPLY BRIEF IN SUPPORT OF FORMAL COMPLAINT**

Ex.	Date	Description	Bates Nos.
10	06/20/2017	XO Communications, LLC Revised Tariff FCC No. 1 (eff. July 1, 2017)	VZ_0000364- VZ_0000421
11	06/22/2018	XO Communications, LLC Revised Tariff FCC No. 1 (eff. July 3, 2018)	VZ_0000422- VZ_0000479
12	07/24/2017	MCImetro Access Transmission Services Corp. Revised Tariff FCC No. 1 (eff. July 31, 2017)	VZ_0000480- VZ_0000487
13	07/24/2018	MCImetro Access Transmission Services Corp. Revised Tariff FCC No. 1 (eff. July 31, 2018)	VZ_0000488- VZ_0000494
14	10/19/2018	(Profit) Initial/Annual List of Officers, Directors and State Business License Application of WideVoice Communications Inc. (Nev. Sec'y of State)	VZ_0000495
15	03/06/2019	Joint Answer of Defendants, Native American Telecom, LLC and Native American Telecom – Pine Ridge, LLC to Plaintiff's Complaint, <i>Holoubek v. Native Am. Telecom, LLC</i> , No. 4:18-cv-04155-KES (D.S.D.)	VZ_0000496- VZ_0000511

Exhibit 10

XO Communications, LLC Revised Tariff FCC No. 1 (eff. July 1, 2017)

INTERSTATE ACCESS SERVICE

XO COMMUNICATIONS, LLC

Regulations, Descriptions, and Rates

Applicable to Furnishing Interstate Access Services

for Connection to Interstate Communications

Facilities within the operating territory of

XO Communications, LLC

This tariff cancels and replaces in their entireties Tariff FCC No. 3 filed on behalf of XO Communications, Inc., and Tariff FCC No. 2 filed on behalf of Allegiance Telecom, Inc.

Issued: June 29, 2007

Effective: July 1, 2007

Alaine Miller, VP - Regulatory & External Affairs
1633 Westlake Avenue, No., Suite 200
Seattle, WA 98109

VZ_0000364

INTERSTATE ACCESS SERVICE

CHECK SHEET

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

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3	16 th Rev.		29	First	54	2nd Rev.
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* - indicates those pages included with this filing

Issued: June 20, 2017

Effective: July 1, 2017

Kelly Faul - Senior Manager
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VZ_0000365

INTERSTATE ACCESS SERVICE

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INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)**(T)**6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)A. Direct Connect Service

1. All States (Except Nevada)*

<u>Per DS-1</u>	<u>Monthly Recurring Charge</u>	<u>Non-Recurring Charge</u>
-Installation fees (per DS-0) ---		\$ 446.82 first trunk
		\$ 77.40 per additional line/trunk
Entrance Facility	\$ 125.00	\$ 313.25
Port (per DS0)	\$ 6.59	---
Transport	\$ 86.58	--
	+ \$27.10/mile	
SS7 Connectivity (per OPC to DPC translation)	\$ 65.00	\$ 100.00
ASR Fee (per order)		\$ 45.00
CIC Translation Fee (per order)		\$ 250.00
Per DS-3		
Reserved for future use.		

* Effective October 7, 2008, these rates will no longer be available. Rates on Page 135.1 will apply.

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)**(T)**6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)A. Direct Connect Service (Cont'd)2. State of Nevada*

<u>Per DS-1</u>		
	<u>Monthly Recurring Charge</u>	<u>Non-Recurring Charge</u>
Installation fees	--	--
Entrance Facility	\$ 145.00	\$ 350.00
Port (per DS 1)	\$ 135.00	---
Transport	\$ 90.00	--
	+ \$6.00/mile	
SS7 Connectivity (per OPC to DPC translation)	\$ 65.00	\$ 100.00
ASR Fee (per order)		\$ 45.00
CIC Translation Fee (per order)		\$ 250.00
<u>Per DS-3</u>		
Reserved for future use.		

* Effective October 7, 2008, these rates will no longer be available. Rates on Page 135.1 will apply.

Some material on this page was moved to Page 135.1.

INTERSTATE ACCESS SERVICE**SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)**6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)A. Direct Connect Service (Cont'd)3. All States

	<u>Monthly Recurring Charge</u>	<u>Non-Recurring Charge</u>
Entrance Facility	\$ 125.00	
Port (per DS1)	\$ 158.16	\$ 750.00
Transport (per DS1)	\$ 109.00	--
	+ \$ 19.00/mile	
Port (per DS3)	\$ 1,349.99	\$ 1,250.00
Transport (per DS3)	ICB	ICB
SS7 Connectivity (per OPC to DPC translation)	\$ 65.00	\$ 100.00
ASR Fee (per order)	--	\$ 45.00
CIC Translation Fee (per order)	--	\$ 250.00

(N)

(I)

B. Change Charges (Per Order)Per Occurrence

- A. Service Date \$ICB
- B. Design Changes \$ICB
- C. Expedite Charge \$ICB

Some material on this page was moved from Page 135.

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)C. Reserved for future use.D. Switched Access Per Minute of Use Charge1. Arizona

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	(R)
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000700	(R)
Tandem Transport	\$0.000240	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	(R)

2. California

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002620	\$0.000000	(R)
End Office Trunk Port	\$0.004696	\$0.000000	
Tandem Switching	\$0.000440	\$0.000440	
Tandem Transport	\$0.000130	\$0.000000	(R)
Tandem Facility (Per Min / Per Mile)	\$0.000015	\$0.000000	(R)

3. Colorado

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	(R)
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000700	(R)
Tandem Transport	\$0.000240	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	(R)

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)D. Switched Access Per Minute of Use Charge (Cont'd)4. Delaware

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000700	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	(R)
Composite Terminating End Office Charge	n/a	\$0.000000	(R)

5. Florida

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002126	\$0.000000	(R)
End Office Trunk Port	\$0.000800	\$0.000000	
Tandem Switching	\$0.001145	\$0.000700	(R)
Tandem Transport	\$0.000168	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000020	\$0.000000	(R)

6. Georgia

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002126	\$0.000000	(R)
End Office Trunk Port	\$0.000800	\$0.000000	
Tandem Switching	\$0.001145	\$0.000700	(R)
Tandem Transport	\$0.000168	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000020	\$0.000000	(R)

7. Idaho

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	(R)
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000700	(R)
Tandem Transport	\$0.000240	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	(R)

INTERSTATE ACCESS SERVICE**SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)**6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)D. Switched Access Per Minute of Use Charge (Cont'd)8. Illinois

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.003116	\$0.000000	(R)
End Office Trunk Port	\$0.000371	\$0.000000	
Tandem Switching	\$0.001084	\$0.000700	(R)
Tandem Transport	\$0.000103	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000013	\$0.000000	(R)

9. Massachusetts

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000700	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	(R)
Composite Terminating End Office Charge	n/a	\$0.000000	(R)

10. Maryland

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000700	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	(R)
Composite Terminating End Office Charge	n/a	\$0.000000	(R)

11. Michigan

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.003116	\$0.000000	(R)
End Office Trunk Port	\$0.000371	\$0.000000	
Tandem Switching	\$0.001084	\$0.000700	(R)
Tandem Transport	\$0.000103	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000013	\$0.000000	(R)

Issued: June 20, 2017

Effective: July 1, 2017

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VZ_0000374

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)D. Switched Access Per Minute of Use Charge (Cont'd)12. Missouri

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002563	\$0.000000	(R)
End Office Trunk Port	\$0.000900	\$0.000000	
Tandem Switching	\$0.000288	\$0.000288	
Tandem Transport	\$0.000053	\$0.000000	(R)
Tandem Facility (Per Min / Per Mile)	\$0.000003	\$0.000000	(R)

13. Minnesota

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	(R)
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000700	(R)
Tandem Transport	\$0.000240	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	(R)

14. Nevada

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001342	\$0.000000	(R)
End Office Trunk Port	\$0.000363	\$0.000000	
Tandem Switching	\$0.002106	\$0.000700	(R)
Tandem Transport	\$0.000324	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000015	\$0.000000	(R)

15. New Jersey

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000700	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	(R)
Composite Terminating End Office Charge	n/a	\$0.000000	(R)

Issued: June 20, 2017

Effective: July 1, 2017

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INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)D. Switched Access Per Minute of Use Charge (Cont'd)16. New York

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000700	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	(R)
Composite Terminating End Office Charge	n/a	\$0.000000	(R)

17. Ohio

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.003116	\$0.000000	(R)
End Office Trunk Port	\$0.000371	\$0.000000	
Tandem Switching	\$0.001084	\$0.000700	(R)
Tandem Transport	\$0.000103	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000013	\$0.000000	(R)

18. Oregon

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	(R)
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000700	(R)
Tandem Transport	\$0.000240	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	(R)

19. Pennsylvania

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000700	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	(R)
Composite Terminating End Office Charge	n/a	\$0.000000	(R)

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)20. Tennessee

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002126	\$0.000000	(R)
End Office Trunk Port	\$0.000800	\$0.000000	
Tandem Switching	\$0.001145	\$0.000700	(R)
Tandem Transport	\$0.000168	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000020	\$0.000000	(R)

21. Texas

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002563	\$0.000000	(R)
End Office Trunk Port	\$0.000900	\$0.000000	
Tandem Switching	\$0.000288	\$0.000288	
Tandem Transport	\$0.000053	\$0.000000	(R)
Tandem Facility (Per Min / Per Mile)	\$0.000003	\$0.000000	(R)

22. Utah

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	(R)
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000700	(R)
Tandem Transport	\$0.000240	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	(R)

23. Virginia

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000700	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	(R)
Composite Terminating End Office Charge	n/a	\$0.000000	(R)

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)24. Washington

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	(R)
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000700	(R)
Tandem Transport	\$0.000240	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	(R)

25. Washington D.C.

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000700	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	(R)
Composite Terminating End Office Charge	n/a	\$0.000000	(R)

26. North Carolina

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002126	\$0.000000	(R)
End Office Trunk Port	\$0.000800	\$0.000000	
Tandem Switching	\$0.001145	\$0.000700	(R)
Tandem Transport	\$0.000168	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000020	\$0.000000	(R)

27. Mississippi

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002126	\$0.000000	(R)
End Office Trunk Port	\$0.000800	\$0.000000	
Tandem Switching	\$0.001145	\$0.000700	(R)
Tandem Transport	\$0.000168	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000020	\$0.000000	(R)

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.) (T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

[RESERVED FOR FUTURE USE]

Material formerly located on this page is now located on Pages 134 and 136.

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SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)

(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

[RESERVED FOR FUTURE USE]

Material formerly located on this page is now located on Pages 134 and 136.

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

[RESERVED FOR FUTURE USE]

Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

Kelly Faul – Regulatory Affairs Director
13865 Sunrise Valley Drive
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VZ_0000386

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)

(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

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6.3.3 Rates and Charges (Cont'd)

[RESERVED FOR FUTURE USE]

Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

Kelly Faul – Regulatory Affairs Director
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VZ_0000391

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.) (T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

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6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

[RESERVED FOR FUTURE USE]

Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000397

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)

(T)

6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)E. Chargeable Optional Features All States1. 800 Data Base Access Service Basic QueryPer Query
\$0.0112. Nonchargeable Optional Features –All States

Supervisory Signaling \$ 0.00

F. Feature Group D Optional Features All States1. Common Switching Optional Features

Alternate Traffic Routing	\$0.00
Automatic Number Identification	\$0.00
Cut-Through	\$0.00
Service Class Routing	\$0.00
Feature Group D with 950 Access	\$0.00
Signaling System Seven (SS7)	\$0.00
Basic Initial Address Message Delivery	\$0.00
Called Directory Number Delivery	\$0.00
Flexible Automatic Number	\$0.00
Identification Delivery	\$0.00

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)

(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

[RESERVED FOR FUTURE USE]

Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

Kelly Faul – Regulatory Affairs Director
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Herndon, VA 20171

VZ_0000399

INTERSTATE ACCESS SERVICE

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

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[RESERVED FOR FUTURE USE]

Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

Kelly Faul – Regulatory Affairs Director
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Herndon, VA 20171

VZ_0000411

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)

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6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

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6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3.4 Special Construction

A. Basis for Rates and Charges

Rates and charges for Switched Access Special Construction are the same as rates and charges for Special Access Service and are specified in Section 6.2. (T)

Some material formerly located on this page is now located on Pages 162

Exhibit 11

XO Communications, LLC Revised Tariff FCC No. 1 (eff. July 3, 2018)

INTERSTATE ACCESS SERVICE

XO COMMUNICATIONS, LLC

Regulations, Descriptions, and Rates

Applicable to Furnishing Interstate Access Services

for Connection to Interstate Communications

Facilities within the operating territory of

XO Communications, LLC

This tariff cancels and replaces in their entireties Tariff FCC No. 3 filed on behalf of XO Communications, Inc., and Tariff FCC No. 2 filed on behalf of Allegiance Telecom, Inc.

Issued: June 29, 2007

Effective: July 1, 2007

Alaine Miller, VP - Regulatory & External Affairs
1633 Westlake Avenue, No., Suite 200
Seattle, WA 98109

VZ_0000422

INTERSTATE ACCESS SERVICE

CHECK SHEET

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

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Title	Second		26	2 nd Rev.		51	2nd Rev.
1	40 th Rev.	*	27	First		52	2nd Rev.
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3	16 th Rev.		29	First		54	2nd Rev.
4	15 th Rev.	*	30	First		55	2nd Rev.
5	5 th Rev.		31	First		56	2nd Rev.
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7	4 th Rev.		33	First		58	2nd Rev.
8	2nd Rev.		34	First		59	2nd Rev.
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17	2nd Rev.		36	First		68	2nd Rev.
18	First		37	First		69	2nd Rev.
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20	First		39	First		71	2nd Rev.
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24	First		42	First		75	2nd Rev.
25	First		43	First			
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			45	First			
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			47	Second			
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			49	First			
			50	First			

* - indicates those pages included with this filing

Issued: June 22, 2018

Effective: July 3, 2018

Kelly Faul - Senior Manager, Government Relations
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VZ_0000423

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77	2nd Rev.	122	2nd Rev.	157	3rd Rev.
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91	2nd Rev.	135.1	2 nd Rev.	171	3rd Rev.
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95	2nd Rev.	141	14 th Rev.	177	3rd Rev.
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		155	3rd Rev.		

* - Indicates pages included with this filing.

Issued: June 22, 2018

Effective: July 3, 2018

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VZ_0000424

INTERSTATE ACCESS SERVICE

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199	4 th Rev.	*	228	2nd Rev.		259	3rd Rev.
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201	3rd Rev.	*	230	2nd Rev.		261	9 th Rev.
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212	4 th Rev.	*	238	2nd Rev.		271	First
213	4 th Rev.	*	239	2nd Rev.		272	First
214	4 th Rev.	*	240	2nd Rev.		273	First
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216	4 th Rev.	*	242	2nd Rev.		275	First
217	4 th Rev.	*	243	2nd Rev.		276	First
218	4 th Rev.	*	244	2nd Rev.		277	First
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			249	2nd Rev.			
			250	2nd Rev.			

* - Indicates pages included with this filing.

Issued: July 31, 2014

Effective: August 1, 2014

Kelly Faul - Regulatory Affairs Director
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VZ_0000425

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289	1st Rev.				
290	Original				
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293	Original				
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296	4 th Rev.				
297	4 th Rev.				
298	4 th Rev.				
299	5 th Rev.	*			
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* - Indicates pages included with this filing.

Issued: June 22, 2018

Effective: July 3, 2018

Kelly Faul - Senior Manager
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Ashburn, VA 20147

VZ_0000426

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)**(T)**6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)A. Direct Connect Service

1. All States (Except Nevada)*

<u>Per DS-1</u>		
	<u>Monthly Recurring Charge</u>	<u>Non-Recurring Charge</u>
-Installation fees (per DS-0) ---		\$ 446.82 first trunk
		\$ 77.40 per additional line/trunk
Entrance Facility	\$ 125.00	\$ 313.25
Port (per DS0)	\$ 6.59	---
Transport	\$ 86.58	--
	+ \$27.10/mile	
SS7 Connectivity (per OPC to DPC translation)	\$ 65.00	\$ 100.00
ASR Fee (per order)		\$ 45.00
CIC Translation Fee (per order)		\$ 250.00
Per DS-3		
Reserved for future use.		

* Effective October 7, 2008, these rates will no longer be available. Rates on Page 135.1 will apply.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000427

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.) (T)6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)A. Direct Connect Service (Cont'd)2. State of Nevada*

<u>Per DS-1</u>		
	<u>Monthly Recurring Charge</u>	<u>Non-Recurring Charge</u>
Installation fees	--	--
Entrance Facility	\$ 145.00	\$ 350.00
Port (per DS 1)	\$ 135.00	---
Transport	\$ 90.00	--
	+ \$6.00/mile	
SS7 Connectivity (per OPC to DPC translation)	\$ 65.00	\$ 100.00
ASR Fee (per order)		\$ 45.00
CIC Translation Fee (per order)		\$ 250.00
<u>Per DS-3</u>		
Reserved for future use.		

* Effective October 7, 2008, these rates will no longer be available. Rates on Page 135.1 will apply.

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Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000428

INTERSTATE ACCESS SERVICE**SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)**6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)A. Direct Connect Service (Cont'd)3. All States

	<u>Monthly Recurring Charge</u>	<u>Non-Recurring Charge</u>
Entrance Facility	\$ 125.00	
Port (per DS1)	\$ 158.16	\$ 750.00
Transport (per DS1)	\$ 109.00	--
	+ \$ 19.00/mile	
Port (per DS3)	\$ 1,349.99	\$ 1,250.00
Transport (per DS3)	ICB	ICB
SS7 Connectivity (per OPC to DPC translation)	\$ 65.00	\$ 100.00
ASR Fee (per order)	--	\$ 45.00
CIC Translation Fee (per order)	--	\$ 250.00

(N)

(I)

B. Change Charges (Per Order)Per Occurrence

- A. Service Date \$ICB
- B. Design Changes \$ICB
- C. Expedite Charge \$ICB

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Issued: December 3, 2012

Effective: December 4, 2012

Kelly Faul – Regulatory Affairs Director
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VZ_0000429

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)C. Reserved for future use.D. Switched Access Per Minute of Use Charge1. Arizona

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000000	(R)
Tandem Transport	\$0.000240	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	

2. California

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002620	\$0.000000	
End Office Trunk Port	\$0.004696	\$0.000000	
Tandem Switching	\$0.000440	\$0.000000	(R)
Tandem Transport	\$0.000130	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000015	\$0.000000	

3. Colorado

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000000	(R)
Tandem Transport	\$0.000240	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	

Issued: June 22, 2018

Effective: July 3, 2018

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VZ_0000430

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)D. Switched Access Per Minute of Use Charge (Cont'd)4. Delaware

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000000	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	
Composite Terminating End Office Charge	n/a	\$0.000000	

5. Florida

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002126	\$0.000000	(R)
End Office Trunk Port	\$0.000800	\$0.000000	
Tandem Switching	\$0.001145	\$0.000000	(R)
Tandem Transport	\$0.000168	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000020	\$0.000000	

6. Georgia

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002126	\$0.000000	
End Office Trunk Port	\$0.000800	\$0.000000	
Tandem Switching	\$0.001145	\$0.000000	(R)
Tandem Transport	\$0.000168	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000020	\$0.000000	

7. Idaho

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000000	(R)
Tandem Transport	\$0.000240	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	

Issued: June 22, 2018

Effective: July 3, 2018

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VZ_0000431

INTERSTATE ACCESS SERVICE**SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)**6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)D. Switched Access Per Minute of Use Charge (Cont'd)8. Illinois

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.003116	\$0.000000	
End Office Trunk Port	\$0.000371	\$0.000000	
Tandem Switching	\$0.001084	\$0.000000	(R)
Tandem Transport	\$0.000103	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000013	\$0.000000	

9. Massachusetts

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000000	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	
Composite Terminating End Office Charge	n/a	\$0.000000	

10. Maryland

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000000	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	
Composite Terminating End Office Charge	n/a	\$0.000000	

11. Michigan

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.003116	\$0.000000	
End Office Trunk Port	\$0.000371	\$0.000000	
Tandem Switching	\$0.001084	\$0.000000	(R)
Tandem Transport	\$0.000103	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000013	\$0.000000	

Issued: June 22, 2018

Effective: July 3, 2018

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VZ_0000432

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	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002563	\$0.000000	
End Office Trunk Port	\$0.000900	\$0.000000	
Tandem Switching	\$0.000288	\$0.000000	
Tandem Transport	\$0.000053	\$0.000000	(R)
Tandem Facility (Per Min / Per Mile)	\$0.000003	\$0.000000	

13. Minnesota

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000000	(R)
Tandem Transport	\$0.000240	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	

14. Nevada

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001342	\$0.000000	
End Office Trunk Port	\$0.000363	\$0.000000	
Tandem Switching	\$0.001062	\$0.000000	(R)
Tandem Transport	\$0.000120	\$0.000000	I
Tandem Facility (Per Min / Per Mile)	\$0.000008	\$0.000000	(R)

15. New Jersey

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000000	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	
Composite Terminating End Office Charge	n/a	\$0.000000	

Issued: June 22, 2018

Effective: July 3, 2018

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	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000000	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	
Composite Terminating End Office Charge	n/a	\$0.000000	

17. Ohio

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.003116	\$0.000000	
End Office Trunk Port	\$0.000371	\$0.000000	
Tandem Switching	\$0.001084	\$0.000000	(R)
Tandem Transport	\$0.000103	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000013	\$0.000000	

18. Oregon

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000000	(R)
Tandem Transport	\$0.000240	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	

19. Pennsylvania

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000000	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	
Composite Terminating End Office Charge	n/a	\$0.000000	

Issued: June 22, 2018

Effective: July 3, 2018

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	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002126	\$0.000000	
End Office Trunk Port	\$0.000800	\$0.000000	
Tandem Switching	\$0.001145	\$0.000000	(R)
Tandem Transport	\$0.000168	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000020	\$0.000000	

21. Texas

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002563	\$0.000000	
End Office Trunk Port	\$0.000900	\$0.000000	
Tandem Switching	\$0.000288	\$0.000000	(R)
Tandem Transport	\$0.000053	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000003	\$0.000000	

22. Utah

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000000	(R)
Tandem Transport	\$0.000240	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	

23. Virginia

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000000	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	
Composite Terminating End Office Charge	n/a	\$0.000000	

Issued: June 22, 2018

Effective: July 3, 2018

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VZ_0000435

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SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)24. Washington

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.001974	\$0.000000	
End Office Trunk Port	\$0.000747	\$0.000000	
Tandem Switching	\$0.002252	\$0.000000	(R)
Tandem Transport	\$0.000240	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000030	\$0.000000	

25. Washington D.C.

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002406	\$0.000000	
End Office Trunk Port	\$0.001688	\$0.000000	
Tandem Switching	\$0.001574	\$0.000000	(R)
Tandem Transport	\$0.000000	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000002	\$0.000000	
Composite Terminating End Office Charge	n/a	\$0.000000	

26. North Carolina

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002126	\$0.000000	(R)
End Office Trunk Port	\$0.000800	\$0.000000	
Tandem Switching	\$0.001145	\$0.000000	
Tandem Transport	\$0.000168	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000020	\$0.000000	

27. Mississippi

	<u>Originating</u>	<u>Terminating</u>	
End Office Switching	\$0.002126	\$0.000000	
End Office Trunk Port	\$0.000800	\$0.000000	
Tandem Switching	\$0.001145	\$0.000000	(R)
Tandem Transport	\$0.000168	\$0.000000	
Tandem Facility (Per Min / Per Mile)	\$0.000020	\$0.000000	

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.) (T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000437

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000439

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000440

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000441

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000442

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Effective: June 23, 2011

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Effective: June 23, 2011

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Issued: June 22, 2011

Effective: June 23, 2011

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Issued: June 22, 2011

Effective: June 23, 2011

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000448

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000449

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000450

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000451

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000452

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SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)

(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 134 and 136.

Issued: June 22, 2011

Effective: June 23, 2011

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000454

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SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)

(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Issued: June 22, 2011

Effective: June 23, 2011

Kelly Faul – Regulatory Affairs Director
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VZ_0000455

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.)

(T)

6.3 Switched Access Services (Cont'd)6.3.3 Rates and Charges (Cont'd)E. Chargeable Optional Features All States1. 800 Data Base Access Service Basic QueryPer Query
\$0.0112. Nonchargeable Optional Features –All States

Supervisory Signaling \$ 0.00

F. Feature Group D Optional Features All States1. Common Switching Optional Features

Alternate Traffic Routing	\$0.00
Automatic Number Identification	\$0.00
Cut-Through	\$0.00
Service Class Routing	\$0.00
Feature Group D with 950 Access	\$0.00
Signaling System Seven (SS7)	\$0.00
Basic Initial Address Message Delivery	\$0.00
Called Directory Number Delivery	\$0.00
Flexible Automatic Number	\$0.00
Identification Delivery	\$0.00

Issued: June 22, 2011

Effective: June 23, 2011

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Herndon, VA 20171

VZ_0000456

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000457

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000458

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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Herndon, VA 20171

VZ_0000459

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Effective: June 23, 2011

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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Herndon, VA 20171

VZ_0000462

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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Herndon, VA 20171

VZ_0000463

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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Herndon, VA 20171

VZ_0000464

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Effective: June 23, 2011

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Herndon, VA 20171

VZ_0000466

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Effective: June 23, 2011

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Herndon, VA 20171

VZ_0000467

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000468

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000470

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000471

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000472

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000473

INTERSTATE ACCESS SERVICE

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000474

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Effective: June 23, 2011

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(T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000476

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000477

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6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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Material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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VZ_0000478

INTERSTATE ACCESS SERVICE

SECTION 6 - CATEGORY 1 & CATEGORY 2 RATES AND CHARGES, (CONT'D.) (T)

6.3 Switched Access Services (Cont'd)

6.3.3 Rates and Charges (Cont'd)

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6.3.4 Special Construction

A. Basis for Rates and Charges

Rates and charges for Switched Access Special Construction are the same a rates and charges for Special Access Service and are specified in Section 6.2. (T)

Some material formerly located on this page is now located on Pages 162

Issued: June 22, 2011

Effective: June 23, 2011

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Exhibit 12

**MCImetro Access Transmission Services Corp.
Revised Tariff FCC No. 1 (eff. July 31, 2017)**

SWITCHED ACCESS SERVICE

CHECK SHEET

The Title Page, Pages 1 - 131 inclusive of this tariff are effective as of the date shown. Original and revised pages as named below, comprise all changes from the original tariff in effect on the date hereof.

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4	Original	24	Original	44	Original
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13	Original	33	Original	53	Original
14	Original	34	Original	54	Original
15	Original	35	Original	55	Original
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18	Original	38	Original	58	Original
19	Original	39	Original	59	Original

* New or revised page

Issued: July 24, 2017

By: Edwin Reese, Tariff Administrator
1300 I Street NW, Suite 400w
Washington, DC 20005

Effective: July 31, 2017

Transmittal #2

VZ_0000480

SWITCHED ACCESS SERVICE

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62	Original	87.3	1 *	108	Original
63	Original	88	Original	109	Original
64	Original	88.1	Original	110	Original
65	Original	88.2	1 *	111	Original
66	Original	88.3	1 *	112	Original
67	Original	88.4	Original	113	Original
68	Original	88.5	Original	114	Original
69	Original	88.6	Original	115	Original
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84	Original	99	Original	130	Original
85	Original	100	Original	131	Original
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86.3	1 *	104	Original		
87	Original	105	Original		

* New or revised page

Issued: July 24, 2017

Effective: July 31, 2017

By: Edwin Reese, Tariff Administrator
1300 I Street NW, Suite 400w
Washington, DC 20005

Transmittal #2

VZ_0000481

SWITCHED ACCESS SERVICE

E. SWITCHED ACCESS RATES (CONTINUED)

4. Rates and Charges (Continued)

4.3 Switched Access (Continued)

4.3.1 Direct Connect Charges (Continued)

4.3.1.2 Direct Connect Charges for Terminating Usage

Per Minute Charge								
State	Zone 1		Zone 2		Zone 3		Zone 4	
Alabama	\$ 0.0000000	(R)						
Alaska	\$ 0.0035670	(R)						
Arkansas	\$ 0.0000000	(R)						
Arizona	\$ 0.0000000	(R)						
California	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Colorado	\$ 0.0000000	(R)						
Connecticut	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
District of Columbia	\$ 0.0000000	(R)						
Delaware	\$ 0.0000000	(R)						
Florida	\$ 0.0000000	(R)	\$ 0.0000000	(R)	\$ 0.0000000	(R)		
Georgia	\$ 0.0000000	(R)						
Hawaii	\$ 0.0000000	(R)						
Idaho	\$ 0.0000000	(R)						
Illinois	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Indiana	\$ 0.0000000	(R)	\$ 0.0000000	(R)	\$ 0.0000000	(R)		
Iowa	\$ 0.0000000	(R)						
Kansas	\$ 0.0000000	(R)						
Kentucky	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Louisiana	\$ 0.0000000	(R)						
Maine	\$ 0.0000000	(R)						
Maryland	\$ 0.0000000	(R)						
Massachusetts	\$ 0.0000000	(R)						
Michigan	\$ 0.0000000	(R)						
Minnesota	\$ 0.0000000	(R)						
Mississippi	\$ 0.0000000	(R)						
Missouri	\$ 0.0000000	(R)						

Issued: July 24, 2017

Effective: July 31, 2017

By: Edwin Reese, Tariff Administrator
1300 I Street NW, Suite 400w
Washington, DC 20005

Transmittal #2

VZ_0000482

SWITCHED ACCESS SERVICE

E. SWITCHED ACCESS RATES (CONTINUED)

4. Rates and Charges (Continued)

4.3 Switched Access (Continued)

4.3.1 Direct Connect Charges (Continued)

4.3.1.2 Direct Connect Charges for Terminating Usage (Continued)

<u>Per Minute Charge</u>								
State	Zone 1		Zone 2		Zone 3		Zone 4	
Montana	\$ 0.0000000	(R)						
Nebraska	\$ 0.0000000	(R)						
Nevada	\$ 0.0000000	(R)	\$ 0.000000	(R)				
New Hampshire	\$ 0.0000000	(R)						
New Jersey	\$ 0.0000000	(R)	\$ 0.000000	(R)				
New Mexico	\$ 0.0000000	(R)						
New York	\$ 0.0000000	(R)	\$ 0.000000	(R)				
North Carolina	\$ 0.0000000	(R)	\$ 0.000000	(R)	\$ 0.000000	(R)		
North Dakota	\$ 0.0000000	(R)						
Ohio	\$ 0.0000000	(R)	\$ 0.000000	(R)	\$ 0.000000	(R)	\$ 0.000000	(R)
Oklahoma	\$ 0.0000000	(R)						
Oregon	\$ 0.0000000	(R)	\$ 0.000000	(R)				
Pennsylvania	\$ 0.0000000	(R)	\$ 0.000000	(R)	\$ 0.000000	(R)		
Rhode Island	\$ 0.0000000	(R)						
South Carolina	\$ 0.0000000	(R)	\$ 0.000000	(R)				
South Dakota	\$ 0.0000000	(R)						
Tennessee	\$ 0.0000000	(R)	\$ 0.000000	(R)				
Texas	\$ 0.0000000	(R)	\$ 0.000000	(R)				
Utah	\$ 0.0000000	(R)						
Vermont	\$ 0.0000000	(R)						
Virginia	\$ 0.0000000	(R)	\$ 0.000000	(R)				
Washington	\$ 0.0000000	(R)	\$ 0.000000	(R)				
West Virginia	\$ 0.0000000	(R)						
Wisconsin	\$ 0.0000000	(R)	\$ 0.000000	(R)				
Wyoming	\$ 0.0000000	(R)						

SWITCHED ACCESS SERVICE

E. SWITCHED ACCESS RATES (CONTINUED)

4. Rates and Charges (Continued)

4.3 Switched Access (Continued)

4.3.2 Tandem Connect (Continued)

4.3.2.1 Tandem Connect Charges – No Tandem Switching¹ (Continued)

4.3.2.1.2 Tandem Connect Charges – No Tandem Switching¹-
Terminating Usage

<u>Per Minute Charge</u>								
State	Zone 1		Zone 2		Zone 3		Zone 4	
Alabama	\$ 0.0015430	(R)						
Alaska	\$ 0.0072470							
Arkansas	\$ 0.0001450	(R)						
Arizona	\$ 0.0007260	(R)						
California	\$ 0.0006030	(R)	\$ 0.0000300	(R)				
Colorado	\$ 0.0007260	(R)						
Connecticut	\$ 0.0001900	(R)	\$ 0.0000300	(R)				
District of Columbia	\$ 0.0000300	(R)						
Delaware	\$ 0.0000300	(R)						
Florida	\$ 0.0015430	(R)	\$ 0.0000300	(R)	\$ 0.0016230	(R)		
Georgia	\$ 0.0015430	(R)						
Hawaii	\$ 0.0006160	(R)						
Idaho	\$ 0.0007260	(R)						
Illinois	\$ 0.0003190	(R)	\$ 0.0000300	(R)				
Indiana	\$ 0.0003190	(R)	\$ 0.0000300	(R)	\$ 0.0025950	(R)		
Iowa	\$ 0.0007260	(R)						
Kansas	\$ 0.0001450	(R)						
Kentucky	\$ 0.0015430	(R)	\$ 0.0025950	(R)				
Louisiana	\$ 0.0015430	(R)						
Maine	\$ 0.0000450	(R)						
Maryland	\$ 0.0000300	(R)						
Massachusetts	\$ 0.0000300	(R)						
Michigan	\$ 0.0003190	(R)						
Minnesota	\$ 0.0007260	(R)						
Mississippi	\$ 0.0015430	(R)						
Missouri	\$ 0.0001450	(R)						

These Tandem Connect Charges include only the following ILEC rate elements at the time of this filing: Local Switching ("LS"), Tandem Transport-Termination ("TTT"); 15 miles of Tandem Transport Facility ("TTF"); Common Transport Multiplexing ("Cmn Mux"), and Shared End-Office Trunk Port (Cmn Trk Prt).

Issued: July 24, 2017

Effective: July 31, 2017

By: Edwin Reese, Tariff Administrator
1300 I Street NW, Suite 400w
Washington, DC 20005

Transmittal #2

VZ_0000484

SWITCHED ACCESS SERVICE

E. SWITCHED ACCESS RATES (CONTINUED)

4. Rates and Charges (Continued)

4.3 Switched Access (Continued)

4.3.2 Tandem Connect (Continued)

4.3.2.1 Tandem Connect Charges – No Tandem Switching¹ (Continued):

4.3.2.1.2 Tandem Connect Charges – No Tandem Switching¹-
Terminating Usage (Continued)

Per Minute Charge								
State	Zone 1		Zone 2		Zone 3		Zone 4	
Montana	\$ 0.0007260	(R)						
Nebraska	\$ 0.0007260	(R)						
Nevada	\$ 0.0002580	(R)	\$ 0.0006840	(R)				
New Hampshire	\$ 0.0000450	(R)						
New Jersey	\$ 0.0000300	(R)	\$ 0.0012480	(R)				
New Mexico	\$ 0.0007260	(R)						
New York	\$ 0.0000300	(R)	\$ 0.0017600	(R)				
North Carolina	\$ 0.0015430	(R)	\$ 0.0000300	(R)	\$ 0.0013710	(R)		
North Dakota	\$ 0.0007260	(R)						
Ohio	\$ 0.0003190	(R)	\$ 0.0000300	(R)	\$ 0.0025950	(R)	\$ 0.0013420	(R)
Oklahoma	\$ 0.0001450	(R)						
Oregon	\$ 0.0007260	(R)	\$ 0.0000300	(R)				
Pennsylvania	\$ 0.0000300	(R)	\$ 0.0012480	(R)	\$ 0.0000300	(R)		
Rhode Island	\$ 0.0000300	(R)						
South Carolina	\$ 0.0015430	(R)	\$ 0.0000300	(R)				
South Dakota	\$ 0.0007260	(R)						
Tennessee	\$ 0.0015430	(R)	\$ 0.0010050	(R)				
Texas	\$ 0.0001450	(R)	\$ 0.0000300	(R)				
Utah	\$ 0.0007260	(R)						
Vermont	\$ 0.0000450	(R)						
Virginia	\$ 0.0000300	(R)	\$ 0.0000300	(R)				
Washington	\$ 0.0007260	(R)	\$ 0.0000300	(R)				
West Virginia	\$ 0.0000300	(R)						
Wisconsin	\$ 0.0003190	(R)	\$ 0.0000300	(R)				
Wyoming	\$ 0.0007260	(R)						

¹ These Tandem Connect Charges include only the following ILEC rate elements at the time of this filing: LS, TTT, 15 miles of TTF, Cmn Mux and Cmn Trk Prt.

SWITCHED ACCESS SERVICE

E. SWITCHED ACCESS RATES (CONTINUED)

4. Rates and Charges (Continued)

4.3 Switched Access (Continued)

4.3.2 Tandem Connect Charges: (Continued)

4.3.2.2 Tandem Connect Charges – With Tandem Switching²
(Continued)

4.3.2.2.2 Tandem Connect Charges – With Tandem
Switching² - Terminating Usage

Per Minute Charge							
State	Zone 1		Zone 2		Zone 3		Zone 4
Alabama	\$ 0.0007000	(R)					
Alaska	\$ 0.0181400	(R)					
Arkansas	\$ 0.0007000	(R)					
Arizona	\$ 0.0007000	(R)					
California	\$ 0.0007000	(R)	\$ 0.0006962	(R)			
Colorado	\$ 0.0007000	(R)					
Connecticut	\$ 0.0000000	(R)	\$ 0.0007000	(R)			
District of Columbia	\$ 0.0007000	(R)					
Delaware	\$ 0.0007000	(R)					
Florida	\$ 0.0007000	(R)	\$ 0.0006940	(R)	\$ 0.0007000	(R)	
Georgia	\$ 0.0007000	(R)					
Hawaii	\$ 0.0007000	(R)					
Idaho	\$ 0.0007000	(R)					
Illinois	\$ 0.0007000	(R)	\$ 0.0006770	(R)			
Indiana	\$ 0.0007000	(R)	\$ 0.0006890	(R)	\$ 0.0007000	(R)	
Iowa	\$ 0.0007000	(R)					
Kansas	\$ 0.0007000.	(R)					
Kentucky	\$ 0.0007000	(R)	\$ 0.0007000	(R)			
Louisiana	\$ 0.0007000	(R)					
Maine	\$ 0.0007000	(R)					
Maryland	\$ 0.0007000	(R)					
Massachusetts	\$ 0.0007000	(R)					
Michigan	\$ 0.0007000	(R)					
Minnesota	\$ 0.0007000	(R)					
Mississippi	\$ 0.0007000	(R)					
Missouri	\$ 0.0007000	(R)					

² These Tandem Connect Charges include only the following ILEC rate elements at the time of this filing: LS, Tandem Switching ("TS"), TTT, 15 miles of TTF, Cmn Mux and Cmn Trk Prt.

Issued: July 24, 2017

Effective: July 31, 2017

By: Edwin Reese, Tariff Administrator
1300 I Street NW, Suite 400w
Washington, DC 20005

Transmittal #2

VZ_0000486

SWITCHED ACCESS SERVICE

E. SWITCHED ACCESS RATES (CONTINUED)

4. Rates and Charges (Continued)

4.3 Switched Access (Continued)

4.3.2 Tandem Connect Charges (Continued):

4.3.2.2 Tandem Connect Charges – With Tandem Switching (Continued)²

4.3.2.2.2 Tandem Connect Charges – With Tandem Switching² - Terminating Usage (Continued)

Per Minute Charge								
State	Zone 1		Zone 2		Zone 3		Zone 4	
Montana	\$ 0.0007000	(R)						
Nebraska	\$ 0.0007000	(R)						
Nevada	\$ 0.0007000	(R)	\$ 0.0007000	(R)				
New Hampshire	\$ 0.0007000	(R)						
New Jersey	\$ 0.0007000	(R)	\$ 0.0007000	(R)				
New Mexico	\$ 0.0007000	(R)						
New York	\$ 0.0007000	(R)	\$ 0.0001000	(R)				
North Carolina	\$ 0.0007000	(R)	\$ 0.0006860	(R)	\$ 0.0006390	(R)		
North Dakota	\$ 0.0007000	(R)						
Ohio	\$ 0.0007000	(R)	\$ 0.0006540	(R)	\$ 0.0007000	(R)	\$ 0.0001240	(R)
Oklahoma	\$ 0.0007000	(R)						
Oregon	\$ 0.0007000	(R)	\$ 0.0006800	(R)				
Pennsylvania	\$ 0.0007000	(R)	\$ 0.0007000	(R)	\$ 0.0007000	(R)		
Rhode Island	\$ 0.0007000	(R)						
South Carolina	\$ 0.0007000	(R)	\$ 0.0006720	(R)				
South Dakota	\$ 0.0007000	(R)						
Tennessee	\$ 0.0007000	(R)	\$ 0.0007000	(R)				
Texas	\$ 0.0007000	(R)	\$ 0.0006830	(R)				
Utah	\$ 0.0007000	(R)						
Vermont	\$ 0.0007000	(R)						
Virginia	\$ 0.0007000	(R)	\$ 0.0007000	(R)				
Washington	\$ 0.0007000	(R)	\$ 0.0006874	(R)				
West Virginia	\$ 0.0006930	(R)						
Wisconsin	\$ 0.0007000	(R)	\$ 0.0006690	(R)				
Wyoming	\$ 0.0007000	(R)						

² These Tandem Connect Charges include only the following ILEC rate elements at the time of this filing: LS, TS, TTT, 15 miles of TTF, Cmn Mux and Cmn Trk Prt.

Issued: July 24, 2017

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Effective: July 31, 2017

Transmittal #2

VZ_0000487

Exhibit 13

**MCImetro Access Transmission Services
Corp. Revised Tariff FCC No. 1 (eff. July
31, 2018)**

SWITCHED ACCESS SERVICE

CHECK SHEET

The Title Page, Pages 1 - 131 inclusive of this tariff are effective as of the date shown. Original and revised pages as named below, comprise all changes from the original tariff in effect on the date hereof.

<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>
Title	Original	20	Original	40	Original
1	2 *	21	Original	41	Original
2	2 *	22	Original	42	Original
3	Original	23	Original	43	Original
4	Original	24	Original	44	Original
5	Original	25	Original	45	Original
6	Original	26	Original	46	Original
7	Original	27	Original	47	Original
8	Original	28	Original	48	Original
9	Original	29	Original	49	Original
10	Original	30	Original	50	Original
11	Original	31	Original	51	Original
12	Original	32	Original	52	Original
13	Original	33	Original	53	Original
14	Original	34	Original	54	Original
15	Original	35	Original	55	Original
16	Original	36	Original	56	Original
17	Original	37	Original	57	Original
18	Original	38	Original	58	Original
19	Original	39	Original	59	Original

* New or revised page

Issued: July 24, 2018

By: Edwin Reese, Tariff Administrator
1300 I Street NW, Suite 500E
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Effective: July 31, 2018

Transmittal #3

VZ_0000488

SWITCHED ACCESS SERVICE

CHECK SHEET

<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>
60	Original	87.1	Original	106	Original
61	Original	87.2	1	107	Original
62	Original	87.3	1	108	Original
63	Original	88	Original	109	Original
64	Original	88.1	Original	110	Original
65	Original	88.2	2 *	111	Original
66	Original	88.3	2 *	112	Original
67	Original	88.4	Original	113	Original
68	Original	88.5	Original	114	Original
69	Original	88.6	Original	115	Original
70	Original	88.7	Original	116	Original
71	Original	89	Original	117	Original
72	Original	89.1	Original	118	Original
73	Original	89.2	Original	119	Original
74	Original	89.3	Original	120	Original
75	Original	90	Original	121	Original
76	Original	91	Original	122	Original
77	Original	92	Original	123	Original
78	Original	93	Original	124	Original
79	Original	94	Original	125	Original
80	Original	95	Original	126	Original
81	Original	96	Original	127	Original
82	Original	97	Original	128	Original
83	Original	98	Original	129	Original
84	Original	99	Original	130	Original
85	1 *	100	Original	131	Original
86	Original	101	Original		
86.1	Original	102	Original		
86.2	2 *	103	Original		
86.3	1	104	Original		
87	Original	105	Original		

* New or revised page

Issued: July 24, 2018

By: Edwin Reese, Tariff Administrator
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Effective: July 31, 2018

Transmittal #3

VZ_0000489

SWITCHED ACCESS SERVICE

E. SWITCHED ACCESS RATES (CONTINUED)

4. Rates and Charges (Continued)

4.1 Rate Zones (Continued)

State	Zone 1 ILEC	Zone 2 ILEC	Zone 3 ILEC	Zone 4 ILEC
OR	K	Q		
PA	L	H	S	
RI	N			
SC	C	Q		
SD	K			
TN	C	H		
TX	F	T		
UT	K			
VA	L	M		
VT	O			
WA	K	Q		
WI	B	Q		
WV	P			
WY	K			

KEY	
A.	Alaska Telephone Company
B.	The Ameritech Operating Companies
C.	BellSouth Telecommunications, Inc.
D.	Pacific Bell Telephone Company
E.	Frontier Telephone Companies (Tariff FCC No. 11)
F.	Southwestern Bell Telephone Company
G.	Cincinnati Bell Telephone Company
H.	CenturyLink Operating Companies (Tariff FCC No. 9)
I.	Frontier Telephone Companies (Tariff FCC No. 2) (Rochester)
J.	Hawaiian Telcom, Inc.
K.	CenturyLink Operating Companies (Tariff FCC No. 11)
L.	The Verizon Telephone Companies (Tariff FCC No. 1)
M.	Verizon Telephone Companies (Tariff FCC No. 14)
N.	The Verizon Telephone Companies (Tariff FCC No. 11)
O.	Consolidated Communications Companies (Tariff FCC No. 7)
P.	Frontier Telephone Companies (Tariff FCC No.4)
Q.	Frontier Telephone Companies (Tariff FCC No.5)
R.	Nevada Bell Telephone Company (Tariff FCC No. 1)
S.	The Verizon Telephone Companies (Tariff FCC No. 16)
T.	Frontier Telephone Companies (Tariff FCC No. 14)

(T)

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Effective: July 31, 2018

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Transmittal #3

VZ_0000490

SWITCHED ACCESS SERVICE

E. SWITCHED ACCESS RATES (CONTINUED)

4. Rates and Charges (Continued)

4.3 Switched Access (Continued)

4.3.1 Direct Connect Charges (Continued)

4.3.1.2 Direct Connect Charges for Terminating Usage

Per Minute Charge								
State	Zone 1		Zone 2		Zone 3		Zone 4	
Alabama	\$ 0.0000000							
Alaska	\$ 0.0021330	(R)						
Arkansas	\$ 0.0000000							
Arizona	\$ 0.0000000							
California	\$ 0.0000000		\$ 0.0000000					
Colorado	\$ 0.0000000							
Connecticut	\$ 0.0000000		\$ 0.0000000					
District of Columbia	\$ 0.0000000							
Delaware	\$ 0.0000000							
Florida	\$ 0.0000000		\$ 0.0000000		\$ 0.0000000			
Georgia	\$ 0.0000000							
Hawaii	\$ 0.0000000							
Idaho	\$ 0.0000000							
Illinois	\$ 0.0000000		\$ 0.0000000					
Indiana	\$ 0.0000000		\$ 0.0000000		\$ 0.0000000			
Iowa	\$ 0.0000000							
Kansas	\$ 0.0000000							
Kentucky	\$ 0.0000000		\$ 0.0000000					
Louisiana	\$ 0.0000000							
Maine	\$ 0.0000000							
Maryland	\$ 0.0000000							
Massachusetts	\$ 0.0000000							
Michigan	\$ 0.0000000							
Minnesota	\$ 0.0000000							
Mississippi	\$ 0.0000000							
Missouri	\$ 0.0000000							

Issued: July 24, 2018

Effective: July 31, 2018

By: Edwin Reese, Tariff Administrator
1300 I Street NW, Suite 500E
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Transmittal #3

VZ_0000491

SWITCHED ACCESS SERVICE

E. SWITCHED ACCESS RATES (CONTINUED)

4. Rates and Charges (Continued)

4.3 Switched Access (Continued)

4.3.2 Tandem Connect Charges: (Continued)

4.3.2.2 Tandem Connect Charges – With Tandem Switching (D)
(Continued)

4.3.2.2.2 Tandem Connect Charges – With Tandem (D)
Switching - Terminating Usage

Per Minute Charge

State	Zone 1		Zone 2		Zone 3		Zone 4	
Alabama	\$ 0.0000000	(R)						
Alaska	\$ 0.0167390	(R)						
Arkansas	\$ 0.0000000	(R)						
Arizona	\$ 0.0000000	(R)						
California	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Colorado	\$ 0.0000000	(R)						
Connecticut	\$ 0.0000000		\$ 0.0000000	(R)				
District of Columbia	\$ 0.0000000	(R)						
Delaware	\$ 0.0000000	(R)						
Florida	\$ 0.0000000	(R)	\$ 0.0000000	(R)	\$ 0.0000000	(R)		
Georgia	\$ 0.0000000	(R)						
Hawaii	\$ 0.0000000	(R)						
Idaho	\$ 0.0000000	(R)						
Illinois	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Indiana	\$ 0.0000000	(R)	\$ 0.0000000	(R)	\$ 0.0000000	(R)		
Iowa	\$ 0.0000000	(R)						
Kansas	\$ 0.0000000	(R)						
Kentucky	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Louisiana	\$ 0.0000000	(R)						
Maine	\$ 0.0000000	(R)						
Maryland	\$ 0.0000000	(R)						
Massachusetts	\$ 0.0000000	(R)						
Michigan	\$ 0.0000000	(R)						
Minnesota	\$ 0.0000000	(R)						
Mississippi	\$ 0.0000000	(R)						
Missouri	\$ 0.0000000	(R)						

(D)
(D)

Issued: July 24, 2018

Effective: July 31, 2018

By: Edwin Reese, Tariff Administrator
1300 I Street NW, Suite 500E
Washington, DC 20005

Transmittal #3

VZ_0000492

SWITCHED ACCESS SERVICE

E. SWITCHED ACCESS RATES (CONTINUED)

4. Rates and Charges (Continued)

4.3 Switched Access (Continued)

4.3.2 Tandem Connect Charges (Continued):

4.3.2.2 Tandem Connect Charges – With Tandem Switching (Continued) (D)

4.3.2.2.2 Tandem Connect Charges – With Tandem Switching - Terminating Usage (Continued) (D)

Per Minute Charge

State	Zone 1		Zone 2		Zone 3		Zone 4	
Montana	\$ 0.0000000	(R)						
Nebraska	\$ 0.0000000	(R)						
Nevada	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
New Hampshire	\$ 0.0000000	(R)						
New Jersey	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
New Mexico	\$ 0.0000000	(R)						
New York	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
North Carolina	\$ 0.0000000	(R)	\$ 0.0000000	(R)	\$ 0.0000000	(R)		
North Dakota	\$ 0.0000000	(R)						
Ohio	\$ 0.0000000	(R)	\$ 0.0000000	(R)	\$ 0.0000000	(R)	\$ 0.0000000	(R)
Oklahoma	\$ 0.0000000	(R)						
Oregon	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Pennsylvania	\$ 0.0000000	(R)	\$ 0.0000000	(R)	\$ 0.0000000	(R)		
Rhode Island	\$ 0.0000000	(R)						
South Carolina	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
South Dakota	\$ 0.0000000	(R)						
Tennessee	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Texas	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Utah	\$ 0.0000000	(R)						
Vermont	\$ 0.0000000	(R)						
Virginia	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Washington	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
West Virginia	\$ 0.0000000	(R)						
Wisconsin	\$ 0.0000000	(R)	\$ 0.0000000	(R)				
Wyoming	\$ 0.0000000	(R)						

(D)
(D)

Issued: July 24, 2018

Effective: July 31, 2018

By: Edwin Reese, Tariff Administrator
1300 I Street NW, Suite 500E
Washington, DC 20005

Transmittal #3

VZ_0000493

Exhibit 14

**(Profit) Initial/Annual List of Officers,
Directors and State Business License
Application of WideVoice Communications
Inc. (Nev. Sec'y of State Oct. 19, 2018)**

(PROFIT) INITIAL/ANNUAL LIST OF OFFICERS, DIRECTORS AND STATE BUSINESS LICENSE APPLICATION OF:

ENTITY NUMBER

WIDVOICE COMMUNICATIONS INC.

E0688082008-0

NAME OF CORPORATION

FOR THE FILING PERIOD OF NOV, 2018 TO NOV, 2019



100103

USE BLACK INK ONLY - DO NOT HIGHLIGHT

****YOU MAY FILE THIS FORM ONLINE AT www.nvsilverflume.gov****

☐ Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

1. Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An **Officer** must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**

2. If there are additional officers, attach a list of them to this form.

3. Return the completed form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.

4. State business license fee is \$500.00/\$200.00 for Professional Corporations filed pursuant to NRS Chapter 89. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.

5. Make your check payable to the Secretary of State.

6. **Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A **copy fee of \$2.00 per page** is required for **each additional copy** generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.

7. Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.

8. Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

(This document was filed electronically.)

ABOVE SPACE IS FOR OFFICE USE ONLY

Filed in the office of <i>Barbara K. Cegavske</i> Barbara K. Cegavske Secretary of State State of Nevada	Document Number 20180456143-64 Filing Date and Time 10/19/2018 10:01 AM Entity Number E0688082008-0
--	---

CHECK ONLY IF APPLICABLE AND ENTER EXEMPTION CODE IN BOX BELOW

☐ Pursuant to NRS Chapter 76, this entity is exempt from the business license fee. Exemption code:

NRS 76.020 Exemption Codes

001 - Governmental Entity

006 - NRS 680B.020 Insurance Co.

NOTE: If claiming an exemption, a notarized Declaration of Eligibility form must be attached. Failure to attach the Declaration of Eligibility form will result in rejection, which could result in late fees.

☐ This corporation is a publicly traded corporation. The Central Index Key number is:

☐ This publicly traded corporation is not required to have a Central Index Key number.

NAME ANDREW NICKERSON	TITLE(S) PRESIDENT (OR EQUIVALENT OF)
ADDRESS 410 S. RAMPART SUITE 390	CITY LAS VEGAS
	STATE NV
	ZIP CODE 89145
NAME ANDREW NICKERSON	TITLE(S) SECRETARY (OR EQUIVALENT OF)
ADDRESS 410 S. RAMPART SUITE 390	CITY LAS VEGAS
	STATE NV
	ZIP CODE 89145
NAME ANDREW NICKERSON	TITLE(S) TREASURER (OR EQUIVALENT OF)
ADDRESS 410 S. RAMPART SUITE 390	CITY LAS VEGAS
	STATE NV
	ZIP CODE 89145
NAME ANDREW NICKERSON	TITLE(S) DIRECTOR
ADDRESS 410 S. RAMPART SUITE 390	CITY LAS VEGAS
	STATE NV
	ZIP CODE 89145

None of the officers or directors identified in the list of officers has been identified with the fraudulent intent of concealing the identity of any person or persons exercising the power or authority of an officer or director in furtherance of any unlawful conduct.

I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X ANDREW NICKERSON

Title

CEO

Date

10/19/2018 10:01:39 AM

**Signature of Officer or
Other Authorized Signature**

Nevada Secretary of State List Profit
Form: 100103 Revised: 7-1-17

VZ_0000495

Exhibit 15

**Joint Answer of Defendants, Native American
Telecom, LLC and Native American Telecom – Pine
Ridge, LLC to Plaintiff's Complaint, *Holoubek v.
Native Am. Telecom, LLC*, No. 4:18-cv-04155-KES
(D.S.D. Mar. 6, 2019)**

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF SOUTH DAKOTA**
8

9 JEFFREY HOLOUBEK, an individual,

10 Plaintiff,

11 v.

12 NATIVE AMERICAN TELECOM, LLC, a
13 business entity form unknown; NATIVE
14 AMERICAN TELECOM LLC – PINE
15 RIDGE, a business entity form unknown;
16 OGLALA SIOUX TRIBE; CROW CREEK
17 SIOUX TRIBE; and DOES 1 through 50,
18 inclusive.

19 Defendants.
20
21
22

CIV. NO.: 18-4155

**JOINT ANSWER OF DEFENDANTS,
NATIVE AMERICAN TELECOM, LLC
AND NATIVE AMERICAN TELECOM
– PINE RIDGE, LLC TO PLAINTIFF'S
COMPLAINT**

JURY TRIAL DEMANDED

23 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD HEREIN:**

24 Defendants Native America, Telecom, LLC (“NAT-CC”) and Native American – Pine
25 Ridge, LLC (“NAT-PR”) jointly answer the correspondingly numbered paragraphs of the
26 Complaint filed by Jeffrey Holoubek (the “Plaintiff”) and further respond, as follows:

27 1. In response to Introduction, Defendants admit that Plaintiff served as President to
28 NAT-CC and NAT-PR, that he was removed from his positions in November 2015, that NAT-
CC was involved in an action with Sprint Communications Company, L.P., that Gene DeJordy is
a director of NAT-CC and NAT-PR, that NAT-CC and NAT-PR were involved in a related action
in California that was resolved in NAT-CC’S and NAT-PR’S favor upon showing that they were
arms of the Crow Creek Sioux Tribe and Oglala Sioux Tribes, respectively. Defendants deny the

1 remaining factual allegations and speculations in the introduction and deny that jurisdiction is
2 proper in South Dakota pursuant to sovereign immunity.

3 2. In response to paragraph 1, Defendants deny that jurisdiction and venue are proper
4 in this Court because it lacks both personal and subject matter jurisdiction based on the doctrine
5 of sovereign immunity. Defendants admit that NAT-CC is majority owned by Crow Creek
6 Holdings, LLC, which, in turn, is wholly owned by the Crow Creek Sioux Tribe, and that NAT-
7 PR is majority owned by Pine Ridge Holdings, LLC, which, in turn, is wholly owned by We The
8 People – Pine Ridge. Defendants deny jurisdiction and venue are proper based on information
9 and belief that neither NAT-CC or NAT-PR operate in South Dakota but only operate in and on
10 the reservations belonging to the Crow Creek Sioux Tribe and Oglala Sioux Tribe or that
11 Defendants are residents of South Dakota. Based on lack of information, the Defendants deny
12 that the Plaintiff, while working for NAT-CC or NAT-PR, at all times worked in Los Angeles
13 County, California. Based on lack of information, the Defendants deny that the amount in
14 controversy.

15 3. In response to paragraph 2, Defendants deny that jurisdiction and venue are proper
16 in this Court because it lacks both personal and subject matter jurisdiction based on the doctrine
17 of sovereign immunity. Defendants admit that NAT-CC is majority owned by Crow Creek
18 Holdings, LLC, which, in turn, is wholly owned by the Crow Creek Sioux Tribe, and that NAT-
19 PR is majority owned by Pine Ridge Holdings, LLC, which, in turn, is wholly owned by We The
20 People – Pine Ridge. Defendants deny that the Crow Creek Sioux Tribe and Oglala Sioux Tribe
21 are residents of South Dakota. Defendants admit that they are doing business on their respective
22 reservations but based on lack of information deny they are doing business in South Dakota.
23 Based on lack of information, Defendants deny that Plaintiff is authorized to bring this suit by law
24 or statute.

25 4. In response to paragraph 3, Defendants deny that jurisdiction and venue are proper
26 in this Court because it lacks both personal and subject matter jurisdiction based on the doctrine
27 of sovereign immunity. Defendants deny that the Crow Creek Sioux Tribe and Oglala Sioux
28 Tribe are residents of South Dakota. Defendants admit that they are doing business on their

1 respective reservations but based on lack of information deny they are doing business in South
2 Dakota. Based on lack of information, Defendants deny that Plaintiff is authorized to bring this
3 suit by law or statute.

4
5 5. In response to paragraph 4, Defendants deny that they admitted and formally and
6 successfully argued that jurisdiction is proper in South Dakota.

7 6. In response to paragraph 5, Defendants admit to Plaintiff's residency in California
8 and that he previously held the position of President for each. Based on lack of information, the
9 Defendants deny that the Plaintiff, while working for NAT-CC or NAT-PR, at all times worked in
10 Los Angeles County, California. Defendants deny that NAT-CC and NAT-PR are South Dakota
11 companies.

12 7. In response to paragraph 6, Defendants admit this paragraph.

13 8. In response to paragraph 7, based on lack of information, Defendants deny this
14 paragraph.

15 9. In response to paragraph 8, based on information and belief, Defendants deny they
16 are transacting business within the state of South Dakota. Defendants admit NAT-CC is
17 transacting business on the Crow Creek Sioux Tribe reservation located in South Dakota

18 10. In response to paragraph 9, based on information and belief, Defendants deny they
19 are transacting business within the state of South Dakota. Defendants admit NAT-PR is
20 transacting business on the Pine Ridge reservation located in South Dakota.

21 11. In response to paragraph 10, Defendants admit that the Crow Creek Sioux Tribe is
22 a federally recognized Native American Tribe. Based on lack of information, Defendants deny
23 that the Crow Creek Tribe is doing business in South Dakota but based on information and belief
24 Defendants admit that the Crow Creek Tribe does transact business on the Crow Creek Tribe's
25 reservation.

26 12. In response to paragraph 11, Defendants admit that the Oglala Sioux Tribe is a
27 federally recognized Native American Tribe. Based on lack of information, Defendants deny that
28 the Oglala Sioux Tribe is doing business in South Dakota but based on information and belief

1 Defendants admit that the Oglala Sioux Tribe does transact business on the Pine Ridge
2 reservation.

3 13. In response to paragraph 12, based on lack of information, Defendants deny
4 paragraph 12.

5 14. In response to paragraph 13, based on lack of information, Defendants deny
6 paragraph 13.

7 15. In response to paragraph 14, based on lack of information, Defendants deny
8 paragraph 14.

9 16. In response to paragraph 15, based on lack of information, Defendants deny
10 paragraph 15 with the exception that Plaintiff served as President of NAT-CC and NAT-PR.

11 17. In response to paragraph 16, Defendants admit that NAT-CC and NAT-PR
12 previously did business with FC CORP. Based on lack of information, Defendants deny the
13 remainder of paragraph 16.

14 18. In response to paragraph 17, Defendants admit that NAT-CC is 51% owned by
15 Crow Creek Holding, LLC, which in turn is solely owned by the Crow Creek Sioux Tribe.
16 Defendants admit that Native American Telecom Enterprise, LLC has a 25% interest in NAT-CC
17 and WideVoice Communications, LLC has a 24% interest in NAT-CC. Based on lack of
18 information, Defendants deny the remainder of the paragraph.

19 19. In response to paragraph 18, Defendants admit that NAT-PR is 51% owned by
20 Pine Ridge Holdings, LLC, which in turn is owed by We The People – Pine Ridge, a non-profit
21 corporation established for the exclusive benefit of Oglala Sioux Tribal members living on the
22 Pine Ridge Indian reservation. Defendants admit that the remaining 49% interest of NAT-PR is
23 owned by Native American Telecom Enterprises, LLC and WideVoice Communications LLC.
24 Based on lack of information, Defendants deny the remainder of the paragraph.

25 20. In response to paragraph 19, Defendants admit that three (3) director seats for
26 each NAT-CC and NAT-PR are reserved for tribal members. Based on lack of information and
27 speculative nature of the assertions, Defendants deny the remainder of the paragraph.

28 21. In response to paragraph 20, based on lack of information, Defendants deny

1 paragraph 20.

2 22. In response to paragraph 21, Defendants deny that David Erickson controls NAT-
3 CC and NAT-PR. Based on lack of information, Defendants deny the remainder of the
4 paragraph.

5 23. In response to paragraph 22, Defendants deny that he was to appear at deposition
6 or at trial as a witness. Based on lack of information, Defendants deny what work Stephen Wald
7 may have requested Plaintiff to perform including responding to discovery request and gathering
8 documents. Defendants admit to the remainder of the paragraph.

9 24. In response to paragraph 23, based on lack of information Defendants deny the
10 factual allegations and speculative theories of liability contained in paragraph 23.

11 25. In response to paragraph 24, based on lack of information Defendants deny the
12 factual allegations and speculative theories of liability contained in paragraph 24.

13 26. In response to paragraph 25, based on lack of information Defendants deny the
14 factual allegations and speculative theories of liability contained in paragraph 25.

15 27. In response to paragraph 26, based on lack of information Defendants deny the
16 factual allegations and speculative theories of liability contained in paragraph 26.

17 28. In response to paragraph 27, based on lack of information Defendants deny the
18 factual allegations and speculative theories of liability contained in paragraph 27.

19 29. In response to paragraph 28, based on lack of information Defendants deny the
20 factual allegations and speculative theories of liability contained in paragraph 28.

21 30. In response to paragraph 29, based on lack of information Defendants deny the
22 factual allegations and speculative theories of liability contained in paragraph 29.

23 31. In response to paragraph 30, based on lack of information Defendants deny the
24 factual allegations and speculative theories of liability contained in paragraph 30.

25 32. In response to paragraph 31, based on lack of information Defendants deny the
26 factual allegations and speculative theories of liability contained in paragraph 31.

27 33. In response to paragraph 32, based on lack of information Defendants deny the
28 factual allegations and speculative theories of liability contained in paragraph 32.

1 34. In response to paragraph 33, based on lack of information Defendants deny the
2 factual allegations and speculative theories of liability contained in paragraph 33.

3 35. In response to paragraph 34, based on lack of information Defendants deny the
4 factual allegations and speculative theories of liability contained in paragraph 34.

5 36. In response to paragraph 35, based on lack of information Defendants deny the
6 factual allegations and speculative theories of liability contained in paragraph 35.

7 37. In response to paragraph 36, based on lack of information Defendants deny the
8 factual allegations and speculative theories of liability contained in paragraph 36.

9 38. In response to paragraph 37, Defendants admit that Plaintiff was removed as
10 President of both NAT-CC and NAT-PR. Defendants deny that Plaintiff was not paid all
11 compensation earned from NAT-CC and NAT-PR. Based on lack of information Defendants
12 deny the remainder of paragraph 37.

13 39. In response to paragraph 38, Defendants admit that Plaintiff was removed as
14 President of both NAT-CC and NAT-PR. Based on lack of information Defendants deny the
15 remainder of paragraph 38.

16 40. In response to paragraph 39, Defendants admit that Plaintiff was removed as
17 President of both NAT-CC and NAT-PR. Based on lack of information Defendants deny the
18 remainder of paragraph 38.

19 41. In response to paragraph 40, based on lack of information Defendants deny
20 paragraph 40.

21 42. In response to paragraph 41, Defendants admit and/or deny the same allegations
22 found in the preceding paragraphs to this Answer.

23 43. In response to paragraph 42, Defendants deny Plaintiff's claim of retaliation and
24 his application of alluded to statutes/laws to his situation. Based on lack of information
25 concerning what statutes/laws are cited, Defendants deny the recitation of the statutes/laws
26 referenced and any application to the Plaintiff.

27 44. In response to paragraph 43, based on lack of information concerning what
28 statutes/laws are cited, Defendants deny the recitation of the statutes/laws referenced and any

1 application to the Plaintiff.

2 45. In response to paragraph 44, based on lack of information concerning what
3 statutes/laws are cited, Defendants deny the recitation of the statutes/laws referenced and any
4 application to the Plaintiff.

5 46. In response to paragraph 45, Defendants deny paragraph 45.

6 47. In response to paragraph 46, Defendants deny paragraph 46.

7 48. In response to paragraph 47, Defendants admit that Gene DeJordy is a director of
8 both NAT-CC and NAT-PR. Defendants deny the remainder of paragraph 47.

9 49. In response to paragraph 48, Defendants admit and/or deny the same allegations
10 found in the preceding paragraphs to this Answer.

11 50. In response to paragraph 49, Defendants deny paragraph 49.

12 51. In response to paragraph 50, Defendants deny paragraph 50.

13 52. In response to paragraph 51, Defendants admit that Gene DeJordy is a director of
14 both NAT-CC and NAT-PR. Defendants deny the remainder of paragraph 51.

15 53. In response to paragraph 52, Defendants admit and/or deny the same allegations
16 found in the preceding paragraphs to this Answer.

17 54. In response to paragraph 53, Defendants deny paragraph 53.

18 55. In response to paragraph 54, Defendants are unable to admit or deny allusions of
19 public policy with no reference point. Defendants deny the remainder of paragraph 54.

20 56. In response to paragraph 55, Defendants deny paragraph 55.

21 57. In response to paragraph 56, Defendants admit that Gene DeJordy is a director of
22 both NAT-CC and NAT-PR. Defendants deny the remainder of paragraph 56.

23 58. In response to paragraph 57, Defendants admit and/or deny the same allegations
24 found in the preceding paragraphs to this Answer.

25 59. In response to paragraph 58, Defendants are unable to admit or deny allusions of
26 public policy with no reference point. Defendants deny the remainder of paragraph 58.

27 60. In response to paragraph 59, Defendants deny paragraph 59.

28 61. In response to paragraph 60, Defendants admit that Gene DeJordy is a director of

1 both NAT-CC and NAT-PR. Defendants deny the remainder of paragraph 60.

2 62. In response to paragraph 61, Defendants admit and/or deny the same allegations
3 found in the preceding paragraphs to this Answer.

4 63. In response to paragraph 62, based on lack of information Defendants deny
5 paragraph 62.

6 64. In response to paragraph 63, based on lack of information Defendants deny
7 paragraph 63.

8 65. In response to paragraph 64, based on lack of information Defendants deny
9 paragraph 64.

10 66. In response to paragraph 65, based on lack of information Defendants deny
11 paragraph 65.

12 67. In response to paragraph 66, Defendants admit that Plaintiff worked as President
13 for NAT-PR and NAT-CC and completed tasks including some of a legal nature for and on behalf
14 of NAT-CC and NAT-PR. Defendants are unable to admit or deny the general categories and
15 descriptions of the work Plaintiff alleges that he completed.

16 68. In response to paragraph 67, Defendants admit that Plaintiff received \$2,500.00
17 per month from each NAT-CC and NAT-CC. Based on lack of information, Defendants deny the
18 factual allegations and speculations of the remainder of paragraph 67.

19 69. In response to paragraph 68, Defendants admit that Plaintiff was removed from his
20 positions as President of NAT-CC and NAT-PR. Based on lack of information, Defendants deny
21 the factual allegations and speculations of the remainder of paragraph 68.

22 70. In response to paragraph 69, based on lack of information Defendants deny the
23 factual allegations and speculative theories of liability contained in paragraph 69.

24 71. In response to paragraph 70, Defendants deny paragraph 70.

25 72. In response to paragraph 71, Defendants deny paragraph 71.

26 73. In response to paragraph 72, Defendants admit and/or deny the same allegations
27 found in the preceding paragraphs to this Answer.

28 74. In response to paragraph 73, based on lack of information concerning what

1 statutes/laws are cited, Defendants deny the recitation of the statutes/laws referenced and any
2 application to the Plaintiff.

3 75. In response to paragraph 74, based on lack of information concerning what
4 statutes/laws are cited, Defendants deny the recitation of the statutes/laws referenced and any
5 application to the Plaintiff.

6 76. In response to paragraph 75, Defendants deny paragraph 75.

7 77. In response to the Plaintiffs' prayer, Defendants deny Plaintiff's entitlement to any
8 of the relief sought.

9 **FIRST AFFIRMATIVE DEFENSE**

10 **(Failure to State a Cause of Action)**

11 1. As a separate, distinct, and first affirmative defense, Defendants state and alleges
12 that the Complaint, and each of the purported causes of action set forth therein, individually and
13 collectively, fail to state facts sufficient to constitute any legally cognizable cause of action
14 against the answering Defendants.

15 **SECOND AFFIRMATIVE DEFENSE**

16 **(Statute of Limitations)**

17 2. As a separate, distinct, and second affirmative defense, Defendants state and
18 alleges, that the Complaint, and each of the purported causes of action set forth therein,
19 individually and collectively, are barred by the applicable statute of limitations.

20 **THIRD AFFIRMATIVE DEFENSE**

21 **(Laches)**

22 3. As a separate, distinct, and third affirmative defense, Defendants state and alleges,
23 that the Complaint, and each of the purported causes of action therein, are barred by the doctrine
24 of laches, in that Plaintiff unjustifiably delayed in commencing and/or prosecuting this action, to
25 the Defendants' detriment.

26 **FOURTH AFFIRMATIVE DEFENSE**

27 **(Estoppel)**

28 4. As a separate, distinct, and fourth affirmative defense, Defendants state and

1 alleges, that the conduct of Plaintiff estops him from asserting the purported claims alleged in the
2 Complaint, and in each of the purported causes of action set forth therein.

3 **FIFTH AFFIRMATIVE DEFENSE**

4 **(Waiver)**

5 5. As a separate, distinct, and fifth affirmative defense, Defendants state and alleges,
6 that Plaintiff has knowingly and voluntarily waived and relinquished any and all rights that he
7 may have had arising from the allegations in the Complaint, and each of the purported causes of
8 action set forth therein.

9 **SIXTH AFFIRMATIVE DEFENSE**

10 **(Unclean Hands)**

11 6. As a separate, distinct, and sixth affirmative defense, Defendants state and alleges,
12 that Plaintiff is guilty of unclean hands in connection with the purported transactions alleged in
13 the Complaint, and thus is barred from obtaining the relief sought therein.

14 **SEVENTH AFFIRMATIVE DEFENSE**

15 **(Business Justification)**

16 7. As a separate, distinct, and seventh affirmative defense, Defendants state and
17 alleges, that the Complaint, and each of the purported causes of action contained therein, fails to
18 state facts sufficient to constitute a cause of action because Defendants' conduct in the industry
19 has been reasonable and is justified by legitimate business and economic considerations.

20 **EIGHTH AFFIRMATIVE DEFENSE**

21 **(Failure to Mitigate Damages)**

22 8. As a separate, distinct, and eighth affirmative defense, Defendants state and
23 alleges, that if any loss, damage, and/or detriment has occurred as alleged in the Complaint, then
24 Plaintiff's alleged losses, if any, are barred as a result of the failure by Plaintiff to avoid or
25 mitigate his damages.

NINTHAFFIRMATIVE DEFENSE

(Res Judicata/Issue Preclusion)

9. As a separate, distinct and ninth affirmative defense, Defendants state and alleges, that the Defendants and each of them are entitled to Sovereign Immunity to Plaintiff's claims, and each of them, and that such an issue was adjudicated by the California Superior Court and cannot be re-litigated pursuant to the Full Faith and Credit Clause 28 U.S. Code § 1738.

TENTH AFFIRMATIVE DEFENSE

(No Entitlement to Damages – Attorneys' Fees)

10. As a separate, distinct, and tenth affirmative defense, Defendants state and alleges, that Plaintiff is not entitled to recover damages or attorneys' fees as the Plaintiff.

ELEVENTH AFFIRMATIVE DEFENSE

(Uncertainty)

11. As a separate, distinct, and eleventh affirmative defense, Defendants state and alleges, that the Complaint, and each purported cause of action contained therein, is uncertain in that it is impossible to determine from the Complaint which of the alleged acts of the answering Defendants caused the injuries alleged in the Complaint.

TWELFTH AFFIRMATIVE DEFENSE

(Plaintiff's Fault)

12. As a separate, distinct, and twelfth affirmative defense, Defendants state and alleges, that if Plaintiff suffered or sustained any loss, damage, and/or injury as alleged in the Complaint, such loss, damage, and/or injury was the direct and proximate result of the acts and omissions of Plaintiff.

THIRTEENTH AFFIRMATIVE DEFENSE

(Third Party Intervention)

13. As a separate, distinct, and thirteenth affirmative defense, Defendants state and alleges, that the Complaint and each purported cause of action contained therein, is barred because any injuries, losses or damages which Plaintiff alleges in his Complaint, if any have occurred,

1 which answering Defendants deny, such injuries, losses or damages were the direct and proximate
2 result of the acts and omissions of other persons for whom Defendants are not responsible.

3 **FOURTEENTH AFFIRMATIVE DEFENSE**

4 **(Reasonableness/Good Cause)**

5 14. As a separate, distinct, and fourteenth affirmative defense, Defendants state and
6 alleges, that Defendants acted reasonably and in good faith at all times material to the allegations
7 in the Plaintiff's Complaint, based on all relevant facts and circumstances known by Defendants at
8 the time it acted, and Plaintiff is accordingly barred from recovery.

9 **FIFTEENTH AFFIRMATIVE DEFENSE**

10 **(No Violation of Public Policy)**

11 15. As a separate, distinct, and fifteenth affirmative defense, Defendants state and
12 alleges, that the Complaint, and each purported cause of action therein, is barred because
13 Defendant did not violate any constitutional provision, state statute, regulation, or other substantial
14 public policy with regard to Plaintiffs' employment or the payment of wages.

15 **SIXTEENTH AFFIRMATIVE DEFENSE**

16 **(Sovereign Immunity)**

17 16. As a separate, distinct and twenty-ninth affirmative defense, Defendants state and
18 alleges, that the Defendants and each of them are entitled to Sovereign Immunity to Plaintiff's
19 claims, and each of them.

20 **SEVENTEENTH AFFIRMATIVE DEFENSE**

21 **(No Willfulness)**

22 17. As a separate, distinct, and seventeenth affirmative defense, Defendants state and
23 alleges, that the Complaint, and each purported cause of action therein, is barred and relief cannot
24 be obtained because if Defendant did not pay all wages owed to Plaintiff, which Defendants deny
25 that it owe Plaintiff for any unpaid wages, Defendants did not willfully fail to pay Plaintiff those
26 wages owed, if any.

EIGHTEENTH AFFIRMATIVE DEFENSE

(No Failure to Pay Wages)

18. As a separate, distinct, and eighteenth affirmative defense, Defendants state and alleges, that the Complaint, and each purported cause of action therein, concerning the alleged failure to pay wages due and payable is barred because Plaintiff was at all times paid all wages owed.

NINETEENTH AFFIRMATIVE DEFENSE

(Failure to Exhaust Administrative Remedies)

19. As a separate, distinct, and nineteenth affirmative defense, Defendants state and alleges, that the Complaint, and each of the purported causes of action contained therein, is barred because Plaintiff failed to exhaust their administrative remedies prior to filing their Complaint.

TWENTIETH AFFIRMATIVE DEFENSE

(No Untimely Paid Wages)

20. As a separate, distinct and twentieth affirmative defense, Defendants state and alleges, that the Complaint, and each purported cause of action contained therein, concerning the alleged failure to timely pay wages is barred, in whole or in part, because Defendants paid their employees all wages due at the time of their termination, if any.

TWENTY-FIRST AFFIRMATIVE DEFENSE

(Offset)

21. As a separate, distinct and twenty-first affirmative defense, Defendants state and alleges, that it is entitled to an offset for any such monies Plaintiff received from any source after Plaintiff ceased to be employed by Defendants under the doctrine of prohibiting double recovery.

TWENTY-SECOND AFFIRMATIVE DEFENSE

(Statute of Frauds)

22. As a separate, distinct and twenty-second affirmative defense, Defendants state and alleges, that the Complaint, and each of the purported contract based causes of action contained therein fails pursuant to the statute of frauds and the Plaintiff is not entitled to relief as requested.

TWENTY-THIRD AFFIRMATIVE DEFENSE

(No Contract/No Breach of Contract)

23. As a separate, distinct and twenty-third affirmative defense, Defendants state and alleges, that the Complaint, and each of the purported contract based causes of action contained therein fails as the Defendants were not parties to the contracts at issue and the Plaintiff is not entitled to relief as requested.

TWENTY-FOURTH AFFIRMATIVE DEFENSE

(Indefiniteness)

24. As a separate, distinct and twenty-fourth affirmative defense, Defendants state and alleges, that the Complaint, and each of the purported contract based causes of action contained therein fails for indefiniteness and the Plaintiff is not entitled to relief as requested. (*California Lettuce Growers v. Union Sugar Co.*, (1955) 45 Cal.2d 474, 481).

TWENTY-FIFTH AFFIRMATIVE DEFENSE

(No Bad Faith)

25. As a separate, distinct and twenty-first affirmative defense, Defendants state and alleges, that the Complaint, and each purported cause of action contained therein, concerning the alleged bad faith is barred, in whole or in part, because Defendants did not act in bad faith with respect to the Plaintiff.

TWENTY-SIXTH AFFIRMATIVE DEFENSE

(No Personal Jurisdiction)

26. As a separate, distinct and twenty-sixth affirmative defense, Defendants state and alleges, that the court lacks personal jurisdiction over the Defendants, and each of them.

TWENTY-SEVENTH AFFIRMATIVE DEFENSE

(No Subject Matter Jurisdiction)

27. As a separate, distinct and twenty-seventh affirmative defense, Defendants state and alleges, that the court lacks subject matter jurisdiction over the claims, and each of them.

TWENTY-EIGHTH AFFIRMATIVE DEFENSE

(Improper Venue)

28. As a separate, distinct and twenty-eighth affirmative defense, Defendants state and alleges, that the court is an improper venue to adjudicate the Plaintiff's claims, and each of them.

TWENTY-NINTH AFFIRMATIVE DEFENSE

(Improper Service)

29. To dismiss for failure to effectuate proper service and timely file with the Court.

WHEREFORE, Defendants, and each of them, pray for the following relief:

1. For the dismissal of Plaintiff's Complaint with prejudice;
2. For recovery of attorney's fees, costs, disbursements, and expenses, including pre-judgment interest; and
3. For other relief the Court finds equitable, just, lawful, or warranted.

DATED: March 6, 2019

**GUNDERSON, PALMER, NELSON,
ASHMORE, LLP**

By: /s/ Marty J. Jackley

MARTY J. JACKLEY
Attorneys for Defendants, NATIVE
AMERICAN TELECOM, LLC and NATIVE
AMERICAN TELECOM – PINE RIDGE,
LCC

CERTIFICATE OF SERVICE

I hereby certify on March 6, 2019, a true and correct copy of the Joint Answer of Defendants, Native American Telecom, LLC and Native American Telecom – Pine Ridge, LLC to Plaintiff’s Complaint and Jury Trial Demand was served by United States Postal Service, postage pre-paid, on the following individual:

Jeffrey Holoubek
PO Box 2909
Big Bear Lake, CA 92315

By: /s/ Marty J. Jackley
Marty J. Jackley